

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL BOBOWSKI, ALYSON BURN,)	
STEVEN COCKAYNE, BRIAN CRAWFORD,)	Case No. C10-1859-JLR
DAN DAZELL, ANGELO DENNINGS,)	
CHEYENNE FEGAN, SHARON FLOYD,)	CLEARWIRE'S JOINDER IN
GREGORY GUERRIER, JOHANNA)	PLAINTIFFS' MOTION FOR APPEAL
KOSKINEN, ELENA MUNOZ-ALAZAZI,)	BOND [DKT. 107]
ELAINE POWELL, ROBERT PRIOR, ALIA)	
TSANG, and KYLE WILLIAMS, on behalf of)	<i>Note on Motion Calendar:</i>
themselves and all others similarly situated,)	March 8, 2013
)	
Plaintiffs,)	
)	
v.)	
)	
CLEARWIRE CORPORATION,)	
)	
Defendant.)	

Clearwire Corporation joins in Plaintiffs' Motion for Appeal Bond [Dkt. 107]. The record and the case law fully support Plaintiffs' request for a bond in the amount of \$39,150 to account for ongoing settlement administration fees and expenses during the appeal period. *See Miletak v. Allstate Ins. Co.*, 2012 U.S. Dist. LEXIS 125426 at *6, 2012 WL 3686785 at *2 (N.D. Cal. Aug. 27, 2012) (requiring bond for, among other things, "\$50,000 in 'administrative costs,' which consists of the costs incurred in order 'to continue to service and respond to class members' needs pending the appeal'"); *Embry v. ACER Am. Corp.*, No. C 09-01808 JW, "Order

1 Granting Motion for Reconsideration,” Dkt. 265 at 4 n.12 (N.D. Cal. July 31, 2012) (attached as
2 Ex. B to Cantor Decl. [Dkt. 108-2]) (ordering bond to cover, among other things, \$55,650 of
3 class administrator’s costs in “maintaining contact with class members for the duration of an
4 appeal”). Further, Plaintiffs’ request for \$2,000 in security for traditional Rule 39(e) costs
5 reflects an exceptionally conservative estimate of allowable costs on appeal.

6 For these reasons, Clearwire joins in the Plaintiffs’ Motion for Appeal Bond [Dkt. 107]
7 and asks the Court to enter the order in the form Plaintiffs have submitted.

8 Respectfully submitted this 21st day of February, 2013.

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/ECF system; and I hereby certify that I have mailed by United States Postal Service a copy of the document to the following non CM/EFC participant: Robert Prior, 2016 E. 6th Street, Vancouver, WA 98661.

DATED this 21st day of February, 2013.

s/ Stephen M. Rummage
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